



CITY OF ATLANTA

KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 - ATLANTA, GEORGIA 30303-0301
404-330-6145 - FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Bureau of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator *af*

SUBJECT: U-14-07 for 1937 Browns Mill Road, S.E.

DATE: August 14, 2014

The applicant seeks a Special Use Permit (Section 16-06.005(1)(g)) for a **Personal Care Home** to operate in an existing single-family home located at 1937 Browns Mill Road.

The applicant has requested a deferral to allow time to meet with the corresponding neighborhood association and NPU-Y.

STAFF RECOMMENDATION: 60-DAY DEFERRAL-OCTOBER 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 - ATLANTA, GEORGIA 30303-0308
404-330-6145 - FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: U-14-13 for 929 Cascade Avenue, S.W.

DATE: August 14, 2014

The applicant seeks a **Special Use Permit for a Personal Care Home** pursuant to Section 16-06.005 (1) (g) of the Zoning Ordinance.

FINDINGS OF FACT

- **Property location:** The subject property fronts approximately 147 feet on the north side of Cascade Avenue approximately 60 feet east of the northeast intersection of Cascade Avenue and Altadena Place. It is in the Cascade Avenue/Road neighborhood of NPU-S, Council District 10.
- **Property size and physical features:** The subject property consists of 19,732 square feet and is developed with a one-story dwelling with basement and detached garage. The topography is relatively level throughout the parcel but for the western area that slopes down in a westerly direction to the adjacent parcel.
- **Current/past use of the property:** The property has always been used for residential purposes.
- **Transportation system:** cascade Avenue is classified as an arterial. MARTA bus route 71 serves the area. Sidewalks are found along both sides of Cascade Avenue.

PROPOSAL:

The applicant proposes to use the subject property as a personal care home for adolescent males from ages 15 to 18. The program would serve youth that have issues of emotional, mental, physical and disability challenges. The youth may also be homeless, abused, neglected and needing services.

- **Ingress and egress:** Ingress to the site will be from Cascade Avenue by way of the existing driveway. Clients, employees, service personnel and emergency vehicles will access the property in the same manner.

- **Parking and loading:** Three vehicles would be on the property at any given time. They would park at the rear of the dwelling in an existing parking area. There should be no traffic congestion caused by the proposed use. Clients residing at the facility will not have vehicles.
- **Refuse and service areas:** City of Atlanta weekly refuse service with herbie curbie trash containers will be used. Products and supplies will be delivered by staff. On occasion deliveries will be made by private courier vehicles or UPS.
- **Buffering and screening:** No modifications to the property are anticipated with regards to buffering and screening. There are basic residential low wattage motion-lights for security near every exit of the facility that are engaged when someone is within a certain radius of the facility
- **Hours and manner of operation:** The facility will operate 24 hours a day, seven (7) day a week. 7am-3pm and 3pm-11pm there will be three (3) full time employees on site; 11pm-7am there will be two (2) full time employees on site. Full time, Part-time and /or Contract Staff will be the Owner/Director, RN or LPN, Behavioral Specialist, Therapist, Certified Nursing Assistant or Home Health Aid. A total of eight (8) employees will be employed at the facility.

Youth Renaissance Society of Georgia, Inc. (YRSG) will provide but not limited to:

- Programmatic services for adolescent males, ages 15-18 to provide each client with the opportunity to acquire the necessary skills, behaviors and coping strategies for reintegration with their home environment.
 - Training will be provided in the areas of life skills, social skills, educational skills and recreational skills.
 - When needed assistance with bathing, grooming, dressing, toileting, and medication administration will be provided.
 - Personal services to residents will be determined and commensurate with the client's needs.
 - Referral for appropriate professional services, which may include a behavioral specialist, RN, psychiatrist, therapist, and physicians as needed both on and off site.
 - Transportation to and from medical or therapy appointments, personal shopping will be provided by YRSG.
 - Information regarding each resident's needs will be provided to surrogate, relative or representative of resident.
 - Three meals and 2 snacks will be served daily.
- **Duration:** The applicant requests an indefinite duration.
 - **Required yards and open space:** The applicant indicates all yards and open space requirements are met.
 - **Tree Preservation and replacement:** No tree removal is proposed.

CONCLUSIONS:

- a) **Ingress and egress and proposed structure or uses thereon, with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Use of the existing driveway for ingress and egress for employees, deliveries and emergency vehicles appears to be adequate.
- b) **Off-street parking and loading:** Use of the existing parking area at the rear of the dwelling for off-street parking and deliveries appears to be adequate.
- c) **Refuse and service areas:** Use of City services for refuse pick-up should be adequate.
- d) **Buffering and screening:** No additional buffering or screening appears to be necessary.
- e) **Hours and manner of operation:** The hours and days of operation appear reasonable. However, as proposed the use appears to fall more into transitional housing rather than a personal care home. It is not clear that all residents will require assistance with activities of daily living. Furthermore on-site services such as behavioral specialists, psychiatrists, therapists and or physicians are not permitted in personal care homes.
- f) **Duration:** Should the special use permit be approved a limited duration should be imposed.
- g) **Compatibility with policies related to tree preservation:** No trees are proposed to be removed from the site.
- h) **Required yards and open space:** Required yards and open space appear to be met.

STAFF RECOMMENDATION: DENIAL

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov


KASIM REED
MAYOR

JAMES E. SHELBY
COMMISSIONER

CHARLETTA WILSON JACKS
DIRECTOR

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: U-14-14 for 551 Harwell Road N.W.

DATE: August 14, 2014

An Ordinance by Zoning Committee granting a Special Use Permit for Church pursuant to Section 16-05.005 (1) (c) for property located at **551 HARWELL ROAD, S.W.**

The applicant did not attend their scheduled NPU meeting, and will require a deferral to attend the next meeting in August.

STAFF RECOMMENDATION: 30 DAY DEFERRAL-SEPTEMBER 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Bureau of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: U-14-15 for 1165 Arlington Avenue, SW

DATE: August 14, 2014

Applicant is seeking to a special use permit (SUP) for a rehabilitation center for children ages 12 – 18 years of age.

The subject property is located in the Oakland City Historic District. Staff recommends a 30-day deferral to allow applicant to present for *Review and Comment* to the Atlanta Urban Design Commission at their August public hearing.

STAFF RECOMMENDATION: 30-DAY DEFERRAL-SEPTEMBER 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0301
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov


KASIM REED
MAYOR

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: U-14-16 for 408 Woodward Avenue, S.E.

DATE: August 14, 2014

An ordinance granting a Special Use Permit for Manufacturing pursuant to Section 16-18V.005 (4) (a) for property located at 408 Woodward Avenue, S.E.

FINDINGS OF FACT:

- **Property location:** The subject property fronts approximately 234 feet on the north side of Woodward Avenue and at the intersection of Woodward Avenue and Oakland Avenue. The property is located in the Grant Park Neighborhood of NPU W Council District 1.
- **Property size and physical features:** The subject property of approximately 1.153 acres and 234 feet of frontage is currently developed with an industrial type building. Access to the subject property is provided via a curb cut located off of Woodward Avenue. There are 7 parking spaces located in the front of the building. A ramp located to the west of the building provides access to the loading area in the rear. Topography slopes from the east to the west and there are a few mature trees located in the rear of the subject property.
- **Current/past use of property:** A building currently exists on the site which was once the location of a printing company. The building is currently unoccupied. Staff is unaware of any additional uses.
- **Surrounding zoning/land uses:** The subject property is surrounded by properties with a variety of zoning categories to include: R-5 (Single Family Residential) to the east and south and SPI-22 SA4 (Special Public Interest District: Memorial Drive/Oakland Cemetery) to the north and west.
- **Transportation system:** Memorial Drive is an arterial road that provides access to Woodward Avenue and is serviced by MARTA.

PROPOSAL

The applicant's intent is to renovate the existing building and utilize it for the manufacturing and distribution of culinary sea salt and sugar. Based on discussions with the applicant, there is no heavy equipment involved and is basically made by hand.

- **Ingress and egress:** Primary Ingress and egress to the existing building will be provided via the driveway located off of Woodward Avenue.
- **Off-street parking and loading:** Employees of the business will utilize the existing parking lot located in front of the building or take public transportation. The applicant's has not made plans to have the business open to the public therefore, visitors are not anticipated. All deliveries and service needs will be through the front and rear entrance of the existing church.
- **Refuse and service areas:** The removal of all refuse will be done once a week by the City of Atlanta's solid waste service. A private disposal company will be utilized for the removal of refuse generated by the church. The dumpster will be located in the rear of the building and may be accessed via the loading ramp and dock.
- **Buffering and screening:** The applicant has not made any provisions for additional buffering and screening than what already exists.
- **Hours and manner of operation:** The proposed manufacturing of culinary sea salts and sugar will occur Monday – Friday from 10am – 4pm. The operator and an additional staff member will work one shift per day. The applicant will prepare the salt and sugar by hand utilizing stored materials (sea, salt and spices) and will then distribute to current and new clientele. The applicant will blend the sea salts/sugar, package into 4 oz tins and then ship the product directly to customers. The manufacturing of the sea salts and sugar will not utilize any heavy machinery and the facility will not be open to the public as its purpose is solely for manufacturing and distribution. Other administrative duties pertaining to the business operation such as accounting and sales will be conducted onsite. The applicant will not prepare meals or cook any of the ingredients utilized for the salts/sugars. Other programs or events will not be offered at the facility.
- **Duration:** The applicant has requested an indefinite duration.
- **Required yards and open space:** The required yards appear to be met.
- **Tree Preservation and Replacement:** The applicant has not proposed the removal of any trees. However, in the event that trees are removed on the subject property, the applicant has indicated that the City Arborist will be consulted.

CONCLUSIONS:

- a) **Ingress and egress and proposed structure or uses thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** The subject property has one point of ingress and egress as well as 7 parking spaces. Employees may utilize the onsite parking to gain access to the facility. Additionally, the existing driveway and parking will allow any visitors, employees, deliveries and emergency personnel to access the site without impeding pedestrian safety, traffic flow or emergency access. Therefore, Staff is of the opinion that the proposed Ingress and Egress is sufficient.
- b) **Off-street parking and loading:** The site currently contains 7 parking spaces which provide ample parking for employees and any visitors to the facility. Furthermore, emergency and service personnel will be able to park in the delineated parking area and utilize the main entrance as well as the loading dock to gain access to the facility. Therefore, Staff is of the opinion that the proposed off-street parking and loading areas are sufficient.
- c) **Refuse and service areas:** The applicant's intent is to utilize the City of Atlanta's solid waste services for refuse removal. Additionally, the applicant has delineated a location for the receptacle and has properly screened it from the public view. Therefore, Staff is of the opinion that the use of a private disposal company is adequate for the site.
- d) **Buffering and screening:** The east of the property is currently buffered by a few mature trees. The applicant has not proposed any additional buffering and screening. The site has operated previously as a printing company and adjacent to the existing single family residences without additional buffering for several years. Therefore, Staff is of the opinion that the existing method of buffering and screening is adequate.
- e) **Hours and manner of operation:** The proposed hours and manner of operation appear reasonable for the proposed manufacturing facility. The applicant's business does not appear to pose a detriment to the surrounding area as all manufacturing will be done inside; it will not create any harmful chemicals and is done without the use of heavy machinery. Therefore, Staff is of the opinion that hours and manner of operation are sufficient.
- f) **Duration:** The applicant requests that the use permit be approved for an indefinite period of time. Staff has no objection to this request.
- g) **Compatibility with policies related to tree preservation:** In its existing state, staff is of the opinion that the subject property is in compliance with the City's Tree Ordinance. In the event that trees are removed, the applicant shall consult with the City Arborist.
- h) **Required yards and open space:** The proposed manufacturing facility will not impact the required yards and open space requirements of the site, which appear to have been met.

U-14-16 for 408 Woodward Avenue, S.E.

August 14, 2014

Page 5 of 4

STAFF RECOMMENDATION: APPROVAL conditioned on the following:

1. This Special Use Permit shall be valid as long as Susan Sheffield is the operator.



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 - ATLANTA, GEORGIA 30303-0301
404-330-6145 - FAX: 404-658-7491
www.atlantaga.gov


KASIM REED
MAYOR

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-14-23 for 1760 Memorial Drive, S.E.

DATE: August 14, 2014

A substitute ordinance by Zoning Committee to rezone from the R-4A (Single Family Residential) District to the MRC-2 (Mixed Residential Commercial) District.

The applicant has not met with the NPU. Therefore Staff is recommending a deferral to allow for this process to occur.

STAFF RECOMMENDATION: 30-DAY DEFERRAL-SEPTEMBER 2014

cc: James Shelby, Commissioner, DPCD




KASIM REED
MAYOR

CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303
404-330-6145 – FAX: 404-658-7491
<http://www.atlantaga.gov/Government/Planning.aspx>

JAMES E. SHELBY
COMMISSIONER

CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

MEMORANDUM

TO: Zoning Review Board
FROM: Charletta Wilson Jacks, Zoning Administrator 
SUBJECT: Z-14-25 for 1767 and 1777 Marietta Road, N.W.
DATE: August, 2014

An Ordinance to rezone from the **R-4A (Single Family) district and to the RG-2 (Residential General-Sector 2) district** for the development of 21 townhomes.

The applicant has requested a deferral to allow time to make possible revisions to the proposed site plan.

STAFF RECOMMENDATION: 30 DAY DEFERRAL-SEPTEMBER 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Bureau of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-14-27 for 2308 Boulevard Granada, SW

DATE: August 14, 2014

An Ordinance by Zoning Committee to rezone the property located at 2308 Boulevard Granada from the NC-6 (Neighborhood Commercial-Cascade) District to the R-4 (single-family residential) district.

This legislation was on the July agenda of the NPU R. The NPU R made a recommendation to defer this application. The basis of the deferral focused on the need to contact the owner to advise them of this impending legislative action. The Office of Planning will initiate those efforts.

STAFF RECOMMENDATION: 30 DAY DEFERRAL-SEPTEMBER 2014

cc: James Shelby, Commissioner, DPCD



KASIM REED
MAYOR


CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303
404-330-6145 – FAX: 404-658-7491
<http://www.atlantaga.gov/Government/Planning.aspx>

JAMES E. SHELBY
COMMISSIONER

CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-14-28 for 2067 and 0 Manchester Street, N.E.

DATE: August 14, 2014

The applicant seeks to rezone the subject property from **I-1-C (Light Industrial-Conditional) district to MR-4B (Multi Residential-Sector 4) district** for a 27 unit townhome development.

FINDINGS OF FACT:

- property location: The subject property fronts approximately 190 feet on the east side of Manchester Street at the southeast corner of Manchester Street and Liddell Drive in the Morningside/Lenox Park neighborhood of NPU-F, Council District 6.
- property size and physical features: The subject property consists of 1.245 acres and is developed with a one story commercial building, small shed and planting beds. The topography is relatively level throughout.
- CDP land use map designation: The subject property has land use designations of Low Density Commercial.
- current/past use of property: To Staff's knowledge the property has always been used for non-residential purposes. The most recent use was Habersham Gardens a plants and gardening company.
- surrounding zoning/land uses: Property adjacent on the south side of the subject property are zoned I-1-C (Light Industrial-Conditional) with a land use designation of Low Density Commercial. Property across Liddell Drive, to the north are zoned I-1(Light Industrial) with a land use designation of Industrial. Property to the west across Manchester Street is zoned MRC-2-C (Multi Residential Commercial-Sector 2 with a land use designation of Medium Density Mixed Use. The area has a mix of uses from a radio/TV station, industrial, residential, and eating and drinking establishments.
- transportation system: Cheshire Bridge Road, south of the site is classified as an arterial and Piedmont Road, west of the site is also classified as an arterial. All other streets in the area local

streets. MARTA bus route 27 to the Midtown Transit Station serves the area. There are some sidewalks in the area.

PROPOSAL

The applicant proposes to rezone the property to enable the development of 27 townhomes. Six of the units fronting on Manchester Street will be developed to allow live/work units. Under MR you are permitted to have up to 5% non-residential uses:

FAR	Permitted 1.49	Proposed 0.76	
Useable Open Space	Required 0.40	Proposed 0.469	Net lot area
Parking residential	Required 0.87 per unit	Proposed 1.26 per unit	
	24 spaces	473 spaces (118 compact)	
Parking non-residential	3.5 spaces (1 per 600 SF)	6 spaces provided	

The non-residential parking is incorporated into the units that may be used as live/work units.

Details of the site plan will be covered during the Special Administrative Permit process.

CONCLUSIONS:

(1) Compatibility with comprehensive development plan (CDP); timing of development:

The comprehensive development plan designates the subject site as Low Density Commercial therefore no amendment to the 15-year land use map would be required to facilitate this proposal as the requested zoning district of MR-4B is compatible with Low Density Commercial.

There are no public projects or programs with which the timing of the project would conflict.

(2) Availability of and effect of public facilities and services; referral to other agencies:

Since the area has been a long established neighborhood, water and sewage facilities serving the property are assumed to be adequate for the proposed development.

The capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. During this review, tie-in to specific sewer lines would be determined, as well as any necessary improvements to the sewer line that would lie within boundaries of the development site.

There has been no indication from review agencies and departments that there would not be adequate public facilities and services at the subject location.

(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:

The zoning regulations indicate that this consideration is optional. There are limited sites available for this type of infill development in Cheshire Bridge Road area. The immediate area is developed with a mix of uses and the proposed residential use should not impact the balance of land uses in the area.

(4) Effect on character of the neighborhood:

The development as proposed should not have a negative effect of the character of the neighborhood. The rezoning would allow for a density on the site that is similar to other sites nearby.

(5) **Suitability of proposed land use:** No change in land use is required.

(6) **Effect on adjacent property:** The construction of 27 townhomes at this site should have a positive effect on adjacent property by providing the area with new housing opportunities.

(7) **Economic use of current zoning:** Although the existing zoning has some economic use the proposed use would be a better use of the land and complement other developments in the area.

(8) **Tree Preservation:** The City of Atlanta's Tree Ordinance will govern the development of the site in regards to tree preservation.

STAFF RECOMMENDATION: APPROVAL condition upon the following:

1. A site plan similar to one dated July 29, 2014 entitled "Manchester Street" by TSW, Planners, Architects, Landscape Architects marked received by the Office of Planning July 31, 2014.
2. The private drive shall be paved.

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Bureau of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-14-34 for 410 Felton Drive, NE

DATE: August 14, 2014

The applicant is seeking to rezone the property from the C-4 (Central Area Commercial Residential) District to the RG-4 (Residential-General) district.

Staff recommends a 30-day deferral to allow applicant meet with the corresponding neighborhood and NPU.

STAFF RECOMMENDATION: 30 DAY DEFERRAL-SEPTEMBER 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 - ATLANTA, GEORGIA 30303-0301
404-330-6145 - FAX: 404-658-7491
www.atlantaga.gov

KASIM REED
MAYOR


JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

Z-13-45

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: 454, 468 Chapel Street, S.W. and 105, 115 and 123 Haynes Street, S.W. and 429, 433, 437, 439, 441 and 447 Nelson Street, S.W. and 459 Tatnall Street, S.W.

DATE: August 14, 2014

An Ordinance to rezone from MRC-2-C (Mixed Residential Commercial-Conditional) District to MRC-2-C (Mixed Residential Commercial-Conditional) District for a change of conditions.

The applicant has submitted correspondence requesting the withdrawal of the application.

STAFF RECOMMENDATION: FILE

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR

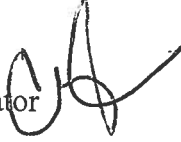
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Bureau of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-14-17 for 1131 and 1137 Glenwood Avenue and 515, 525, 531, and 537 Moreland Avenue, and 1146 and 1152 Portland Avenue, SE

DATE: August 14, 2014

Applicant is seeking to rezone properties 1131 and 1137 Glenwood Avenue and 1146 and 1152 Portland Avenue from the R-4 (single-family) zoning districts and properties 515, 525, 531 and 537 Moreland Avenue from the East Atlanta NC-2 zoning district, to the MRC-2 (Mixed Residential Commercial) district for a mixed-use development. The Beltline Overlay district for these properties remains in place.

Staff recommends a 30-day deferral to allow applicant additional time to confer with the corresponding NPU and neighborhood associations.

STAFF RECOMMENDATION: 30 DAY DEFERRAL-SEPTEMBER 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 - ATLANTA, GEORGIA 30303-0301
404-330-6145 - FAX: 404-658-7491
www.atlantaga.gov


M. KASIM REED
MAYOR

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-14-21 for 1131 Mecaslin Street, N.W.

DATE: August 14, 2014

The applicant seeks to rezone from the R-5 (Two-Family Residential) district to the C-1 (Community Business) District for property located at 1131 Mecaslin Street, N.W.

Staff requests deferral to allow for additional time for the applicant team to work with Planning Staff, neighborhood and NPU prior to a Zoning Review Board hearing.

STAFF RECOMMENDATION: 30-DAY DEFERRAL- SEPTEMBER 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0301
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

M. KASIM REED
MAYOR

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator

SUBJECT: U-14-06 for 380 14th Street & 1131 Mecaslin Street, N.W.

DATE: August 14, 2014

The applicant seeks a Special Use Permit (SUP) for or a Hotel pursuant to Section 16.12. 005(1)(g) for property located at 380 14th Street, N.W. and 1131 Mecaslin St. N.W. The hotel use would be part of a new mixed use building including retail uses as well as an accessory parking structure.

Staff requests deferral to allow for additional time for the applicant team to work with Planning Staff, neighborhood and NPU prior to a Zoning Review Board hearing.

STAFF RECOMMENDATION: 30-DAY DEFERRAL- SEPTEMBER 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-14-22 for 946 Delaware Avenue, S.E.

DATE: August 14, 2014

The applicant seeks to rezone property from **R-4 (Single Family Residential)** district to **R-4A (Single Family Residential)**.

FINDINGS OF FACT:

- property location: The subject property fronts 175 feet on the west side of Delaware Avenue approximately 163 feet on the east side of Ormewood Terrace in the Ormewood Park neighborhood of NPU-W, Council District 1.
- property size and physical features: The subject property consists of 82,969 square feet of area and is developed with a one story single family dwelling with a driveway beginning on the east side of the property. The property also has frontages on both Delaware Avenue and Ormewood Terrace.
- CDP land use map designation: Single Family Residential.
- current/past use of property: The property has always been developed for single family residential purposes.
- surrounding zoning/land uses: The subject property is surrounded by property zoned R-4 with a Single Family Residential land use.
- transportation system: Delaware Avenue is a designated local residential street. Ormewood Terrace and Eden Avenue are also local residential streets. Sidewalks are

present along Delaware Avenue and in the area. MARTA bus routes are found along Delaware Avenue and Ormewood Terrace.

PROPOSAL

The applicant requests the rezoning of 1.9 acre R-4 lot with existing single family rental property to R-4A and a subsequent subdivision to six conforming R-4A lots for single family for sale residential. The existing house will remain on one of the proposed six lots. All proposed lots would have frontage on existing city streets.

Staff review finds a significant number of the lots in the area have been developed on lots having 70 feet of street frontage and at least 7,500 square feet of land area. Of the 46 lots fronting on Delaware Avenue, 24 of them have frontages less than 70 feet, but at least 50 feet. Many of the lots surrounding the subject property also have frontages of less than 70 feet.

Should the rezoning be approved the applicant would then file a land subdivision application to subdivide the property into six lots. Approval of the rezoning does not indicate approval of the subdivision.

CONCLUSIONS:

(1) Compatibility with comprehensive development plan (CDP); timing of development:

The comprehensive development plan designates the subject tract as single family residential. No amendment to the 15 Year Land Use Map is required.

There are no public projects or programs with which the timing of the project would conflict.

(2) Availability of and effect of public facilities and services; referral to other agencies:

It would appear there are adequate public facilities and services for the development of the property.

The capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. During this review, tie-in to specific sewer lines would be determined, as well as any necessary improvements to the sewer line that would lie within boundaries of the development site.

(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:

The zoning regulations indicate that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. The majority of the lots in the area have less than the required frontage for R-4 zoning. The proposed rezoning would create lots similar what currently exists in the neighborhood and would not had an adverse effect on the environment or create an imbalance of land uses.

- (4) **Effect on character of the neighborhood:** The proposed rezoning would enable the addition of six single family homes on the lot. A review of the proposed plan of the new lots indicates they would have frontages similar to those found in the majority of the area, with square footages between 9,800 and 27,000.
- (5) **Suitability of proposed land use:** No change in the 15-year land use map is required.
- (6) **Effect on adjacent property:** The proposed rezoning would have a positive effect on adjacent properties by reinforcing the established development pattern on the street should a subdivision of the property be approved.
- (7) **Economic use of current zoning:** The subject property has economic value as currently zoned but would have more economic use if rezoned and then subdivided to allow additional single family dwellings.
- (8) **Tree Preservation:** The City of Atlanta's Tree Ordinance will govern the development of the site in regards to tree preservation.

STAFF RECOMMENDATION: APPROVAL

cc: James Shelby, Commissioner, DPCD



KASIM REED
MAYOR


CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303
404-330-6145 – FAX: 404-658-7491
<http://www.atlantaga.gov/Government/Planning.aspx>

JAMES E. SHELBY
COMMISSIONER

CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-13-44 for 720 Donald Lee Hollowell Hwy; 646, 648, & 652 Echo Street, N.W.

DATE: August 14, 2014 (*Deferred from July 10, 2014*)

An Ordinance to rezone from the **I-1 (Light Industrial)** and **R-4A (Single Family Residential)** to the **C-2 (Commercial Service)** District for property located at 720 Donald Lee Hollowell Hwy; 646, 648, & 652 Echo Street, N.W.

FINDINGS OF FACT:

- property location: The three parcels front on Echo Street and Fox Street and are just south of Donald Lee Hollowell Parkway. They are located in Land Lot 112 of the 14th District, Fulton County, Georgia. They are in the English Avenue neighborhood of NPU-L and in Council District 3.
- property size and physical features: The subject site consists of 4 parcels that total approximately 32,115 sq. ft., and are zoned I-1. The majority of the site is open and vacant with unkempt vegetation. The topography of the site is mostly level with the adjacent street grade.
- CDP land use map designation: Low Density Residential.
- current/past use of property: The parcels are currently undeveloped. They most likely had residential structures in the past.
- surrounding zoning/land uses: The adjoining parcels to the west have a Low Density Residential land use and R4-A zoning, the parcels to the south have a Single Family

Residential land use and R-4A zoning. The parcels to the North, fronting on D.L. Hollowell, and to the east have a Mixed Use Land use and I-1 zoning.

- transportation system: Echo Street and Fox Street are local streets. Donald Lee Hollowell Parkway is a state road and is classified as an arterial street. MARTA provides bus service to English Avenue and DL Hollowell Parkway via Bus #26. Sidewalks are present on the street frontage of the parcels.

PROPOSAL:

The applicant proposes to construct a 10,000 sq. ft. retail building in the middle of the site that will be situated between two parking lots; one lot would be located on the north side adjacent to D.L. Hollowell Pkwy, and the other would be on the south side adjacent to Fox Street.

CONCLUSIONS:

- (1) Compatibility with comprehensive development plan (CDP); timing of development:
The current CDP land use designation of the site is Low Density Residential. This land use is not compatible with the proposed C-2 zoning category, and would require a land use change. The Office of Planning has reviewed the applicant's request for a compatible land use change and has recommended denial of a change in land use.
- (2) Availability of and effect of public facilities and services; referral to other agencies:
It appears that sewer is available to the subject property as indicated by the existing developed parcels in the area. There has been no indication from review agencies and departments that there would not be adequate public facilities and services at the subject location.
- (3) Availability of other land suitable for proposed use; environmental effect on balance of land uses: There are many other suitably zoned (Industrial & Commercial) properties along the nearby major corridor of D.L. Hollowell, which are currently vacant and/or underutilized. The proposed rezoning would initiate an encroachment of commercial uses inside of an existing residential neighborhood.
- (4) Effect on character of the neighborhood: The proposed rezoning could adversely alter the desired direction for positive development in the neighborhood. These parcels were included in the English Avenue Community Redevelopment Plan Update (2006) and specifically in the *Project Area 1: Hollowell as "front door"*. The plan states that parcels along Hollowell are smaller and require more contextually-sensitive design/development.

Additionally, for the block bound by DL Hollowell, Echo, Fox, and Griffin streets, the plan recommends: *P1.16 Mixed-Use and Townhomes - Ground floor retail w/ lofts/apts/offices above along Hollowell. Townhomes along Fox Street w/ "tuck under" parking*. The plan recommends MR-2 zoning for these parcels. As a result of the plan recommendations, the

land use designation of these parcels was changed from Single Family Residential to Low Density Residential. Plan policies that support the Low Density Residential land use are:

- Encourage walkable, pedestrian friendly developments
- Encourage mixed use development along Hollowell, Northside Drive, and Simpson Road
- Encourage a scale of new development that is compatible with the existing neighborhood

These parcels are designated as Traditional Neighborhood Redevelopment in the 2011 Comprehensive Development Plan Character Area Map. The following are policies which do not support the proposed rezoning to C-2.

- Preserve the residential character of Traditional Neighborhoods.
- Protect single-family detached residential neighborhoods from encroachment by non-residential uses and incompatibly scaled residential development.

Inconsistency with NPU – L policies:

- L-5: Change, redevelop, or create in the Traditional Neighborhood Development areas of NPU L the following (generally including the interiors of English Avenue and Vine City neighborhoods):
 - Build on vacant lots family housing in accordance with existing zoning
 - Add neighborhood level commercial that is compatible with neighborhood

- (5) Suitability of proposed land use: The proposed commercial development is not a suitable land use on a mainly residential street in the neighborhood. The English Avenue Plan calls for buffering the single family from higher density development with low and medium density residential.
- (6) Effect on adjacent property: This rezoning appears that it would have a detrimental effect on the adjacent properties with the introduction of an incompatible use. Although the existing site is underutilized, and is not making a positive contribution to the surrounding neighborhood, a rezoning for its development into commercial could do more harm than good. Another project that is more closely aligned with the neighborhood's future development plan is appropriate.
- (7) Economic use of current zoning: The portion of the site that is zoned Industrial fronts D.L. Hollowell and appropriately supports commercial uses along the corridor. However, there are other adjacent parcels nearby along the corridor, which are still vacant and have abandoned buildings. The southern parcels, which are zoned residential, have a better opportunity for development now that the residential construction economy has begun to pick back up. However, this area of the city in general has not benefitted from significant interest for development.
- (8) Tree Preservation: The applicant proposes to fully comply with tree preservation ordinance.

Z-13-44 for 720 Donald Lee Hollowell Hwy; 646, 648, & 652 Echo Street, N.W.
August 14, 2014 (Deferred from July 10, 2014)
Page 4 of 4

STAFF RECOMMENDATION: DENIAL

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 - ATLANTA, GEORGIA 30303-0308
404-330-6145 - FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: U-14-09 for 80 Joseph E. Lowery Boulevard, N.W.

DATE: August 14, 2014 (*deferred June 26, 2014*)

The applicant seeks a Special Use Permit for a Community Center pursuant to Section 16.18K.004(3)(a).

FINDINGS OF FACT:

- **Property location:** The subject property fronts approximately 258 feet on the west side of Joseph E. Lowery Boulevard. It is located in the Washington Park Neighborhood of NPU K in Council District 3.
- **Property size and physical features:** The subject property is a 2.1 site that is developed as a school campus which is currently being operated by KIPP Academy. Access to the site is provided via two driveways located off of Lena Street and Desoto Street. There are several buildings attached and detached located throughout the campus. An iron fence approximately 4 feet in height traverses the entire campus. There are a few mature trees located throughout the site.
- **Current/past use of property:** The site is currently being utilized by KIPP Academy. Prior to KIPP, it was the site of E.R. Carter Elementary School. Staff is unaware of any additional past uses of the property.
- **Surrounding zoning/land uses:** The subject property is immediately adjacent to properties zoned SPI-11/SA 6 (Vine City & Ashby Station Special Public Interest District). The subject property has a future land use of Community Facilities as indicated on the City of Atlanta's Future Land Use map.
- **Transportation system:** Joseph E. Lowery Boulevard is an arterial street that is served by MARTA bus routes. Furthermore, the MARTA Ashby Transit stations is located across from the proposed community center.

PROPOSAL: The applicant seeks a Special Use Permit for a Community Center. The applicant's intent is to relocate the headquarters for Families First from its previous location to the 80 Joseph E. Lowery Boulevard address.

- **Ingress and egress:** Ingress and egress to the subject property is provided by existing driveways located off Lena Street and Desoto Street.
- **Parking and loading:** Currently there are 24 visitor parking spaces located immediately in front of the existing building. Additional parking can be accessed from Lena and Desoto Street. The loading area is currently located behind the existing cafeteria and can be accessed in the same manner as aforementioned. Service personnel will also utilize the existing driveway and existing parking to access the site.
- **Refuse and service areas:** The applicant has proposed to utilize City of Atlanta commercial disposal services for refuse generate by the operation of the facility. Refuse will be picked up weekly from the loading area behind the existing cafeteria.
- **Buffering and screening:** The entire site is currently buffered by an iron fence and a few mature trees.
- **Hours and manner of operation:** The proposed facility, Families First, will operate Monday – Thursday between 7:30am-8:00pm and on Friday between 7:30am-7:00pm. Approximately 60 employees will be onsite throughout the scheduled hours of operation. . Families First is an organization that serves the community by providing services such as but not limited to: counseling, adoption programs, parenting & family life education programs, foster care, residential support services and employee assistance program (EAP). The community center will serve Families First clients as well as the Washington Park community. Various after hour events will be held during the weekday as well as on the weekends.
- **Duration:** The applicant requests an indefinite duration.
- **Tree Preservation and replacement:** The applicant has indicated that a few trees will be removed as necessary. However, the removal of existing trees will be monitored by the City Arborist.
- **Required yards and open space:** The applicant has indicated that the required yards and open spaces are in compliance and that and that any additions made to the subject property will comply with the minimum building requirements for the SPI-11 district.

CONCLUSIONS:

- a) **Ingress and egress and proposed structure or uses thereon, with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Based on the site plan submitted by the applicant and an on-site review conducted by staff there appears to be adequate access to the property via the driveways located off of Lena Street and Desoto Street. Furthermore, emergency vehicles will enter the property through the same driveways as aforementioned. There is adequate room onsite for vehicle turnaround. Therefore, Staff is of the opinion that the existing ingress and egress is sufficient to ensure automotive and pedestrian safety and will not create traffic congestion.
- b) **Off-street parking and loading:** There is adequate room on site to accommodate off street parking. The applicant has proposed to utilize the existing parking area as well as add additional parking to accommodate the new facility and its parking requirement of 86 spaces. The facility will continue to utilize the existing loading area located behind the cafeteria. Therefore, Staff is of the opinion that the applicant has met the off-street parking and loading requirements.
- c) **Refuse and service areas:** The use of the City of Atlanta's commercial disposal services appears adequate for the facility. Additionally, the proposed service area appears adequate as it is located behind the building and is not easily visible from the public right of way.
- d) **Buffering and screening:** Staff is of the opinion that the existing method of buffering and screening is adequate. The subject property is a corner lot that was once the location of an elementary school and KIPP Academy. The applicant will operate a community center which may generate less noise than a typical school. Additionally, due to the location of the lot (adjacent to Lena Street, Desoto Street and Joseph E. Lowery Boulevard) any noise emanating from the facility may be drowned out by vehicular and pedestrian traffic. Therefore, Staff is of the opinion that the proposed method for buffering and screening is sufficient.
- e) **Hours and manner of operation:** The proposed hours and manner of operation appear reasonable for the site. Families First has operated since 1890 when originally founded on the campus of Spelman College. Since then, Families First has grown and provided services to over 44,000 individuals yearly and is available not just to the immediate area but to the greater Atlanta community. Furthermore, the applicant has proposed additional improvements to the campus to ensure that the surrounding community is not negatively impacted by the addition of this facility. Therefore, Staff is of the opinion that the proposed location for the community center is not out of character with the surrounding land use, the applicant has adequate experience with the proposed operation and the hours and manners of operation are sufficient to operate such a facility.
- f) **Duration:** Staff is supportive of an indefinite duration as long as Families First is the owner/operator.
- g) **Compatibility with policies related to tree preservation:** In its existing state, staff is of the opinion that the subject property is in compliance with the City's Tree Ordinance. However, in the event that trees are removed, the applicant shall comply with the City of Atlanta's Tree Ordinance.

U-14-09 for 80 Joseph E. Lowery Boulevard, N.W.

August 14, 2014

Page 4 of 4

h) Required yards and open space: In its existing configuration, the required yards and open space appear to be met.

STAFF RECOMMENDATION: APPROVAL

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: U-14-10 for 7 Anniston Avenue S.E.

DATE: August 14, 2014 (*deferred June 26, 2014*)

The applicant seeks a Special Use Permit for a new children's day care center pursuant to Section 16-06A.005(1)(b) for property located at 7 Anniston Avenue S.E.

FINDINGS OF FACT:

- Property location: The subject property is located at the southwest intersection of Anniston Avenue and Hosea S. Williams Drive S.E. fronting approximately 50 feet along Anniston Avenue and 150 feet along Hosea S. Williams Drive within the Kirkwood neighborhood of NPU-O in Council District 5.
- Property size and physical features: The property has net lot area of 0.173 acres (7,538 s.f.) which is bordered by a combination chain link and opaque wood fence along the periphery of the site. The site has a single one story building with a covered front porch and small raised rear deck. Also, a small fenced playground is found at the rear of the site. No driveway or garage exists although there is an immediately adjacent driveway along the south property line. Other than the building's footprint the site is vegetated with a small number of mature trees on-site including one large oak near the street intersection. The parcel has modest topography falling about 6 feet from southeast along Anniston Avenue to the northwest corner fronting along Hosea S. Williams Drive
- Current/past use of property: The subject property is currently for what appears to be a residence offering in-house daycare facility identified via playground equipment and a number of children's toys located outside the building. Staff is unaware of any previous uses of the property.
- Surrounding zoning/land uses: Land use and zoning designations in the immediate area are relatively consistent with Single-Family residential land uses and R-4A zoning both to the north and west developed as a mixture of detached single-family homes and vacant parcels. Across Anniston Avenue to the immediate east is also zoned R-4A; however it is a City park known as 'Coan Park' with a land use designation of Open Space. Meanwhile, across Hosea S. Williams Drive to the north and northeast is also zoned R-4A; however has a land use designation of Community Facility as it is

an Atlanta Public Schools site serving as the temporary home of Maynard Jackson High School (a.k.a. former Coan Middle School).

- **Transportation system:** Along the subject site Hosea S. Williams Drive is classified as a collector road and is connected to other collector nearby roads: Whitefoord Avenue and Wyman Street. Anniston Avenue and other nearby roads are classified as local streets. MARTA bus route #24 currently serves the Hosea S. Williams Drive corridor with a bus stop adjacent to the site. Sidewalks are provided along each nearby street; however, vary in states of repair.

PROPOSAL:

The applicant seeks a Special Use Permit for an expanded daycare center (serving six (6) or more children) within an existing 1,494 square foot building and an outdoor play area located in the rear yard. The applicant indicates that new staff parking will be provided in the rear yard accessible by an off-site immediately adjacent driveway along the south property line. Pick-up and drop-off of children could be made via a one-way semi-circular drive along Hosea Williams Drive with connecting walkway to the front porch. This drive would utilize an existing curbcut for egress.

Net lot area:	0.173 acres (7,538 s.f.)
Floor Area:	1, 494 s.f.
FAR Allowed:	0.50 x NLA (3,769 s.f.)
FAR Proposed:	0.198 (1,494 s.f. floor area / 7,538 s.f. net lot area)
Setbacks Required:	Anniston Ave.: 30' Hosea S. Williams Dr.: 15' Side: 7' Rear: 15'
Setbacks Proposed:	As existing -non-conformities at front, half-depth front and side)
Parking Required:	1/ 600 s.f. (= 3 spaces) with safe and convenient children's loading/unloading facilities.
Parking Proposed:	<i>not shown; but scaled for 3 spaces accessible by off-site drive*</i>
Height Maximum:	35'
Height Building:	As existing – 1 story

**Italics* indicate possible non-conformity.

- Ingress and egress and proposed structure or uses thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** The applicant proposes access along Anniston Avenue and Hosea S. Williams Drive and what appears to be three (3) fenced parking spaces for staff in the rear yard. These three (3) spaces are only accessible via what is termed a limited use of the shared (off-site) driveway. Pick-up and drop-off for children in the daycare would be handled by a semi-circular one-way drive from Hosea Williams Drive with connecting walkway and stair. Emergency vehicles appear to have ready access due to the nature of this being as corner lot having a fire hydrant.
- Parking and loading:** The applicant indicates that clients and deliveries will likely be staggered at 12 to 16 per day twice a day and drop off would occur at the front and side frontages (on-street along Anniston Avenue and Hosea S. Williams Drive S.E.) The proposal appears to provide for pick-up and drop-off for children by a semi-circular one-way drive along Hosea Williams Drive

and separately three (3) fenced parking spaces for staff in the rear yard which is noted to be accessed by a shared drive (to the south) having the same owner.

- c) **Refuse and service areas:** The applicant states that rolling containers will handle trash and recycling which will be stored under the raised rear deck having a 'screen planting'.
- d) **Buffering and screening:** The applicant indicates that the subject property has existing fencing. Staff notes this includes a six (6) foot high opaque wood fence along a portion of Anniston Avenue and along the rear property line and a chain link fence along Hosea S. Williams Drive and the south property line. There is also 'screen planting' shown in the rear and western portion south property line and between the sidewalk and the semi-circular drive along Hosea S. Williams Drive.
- e) **Hours and manner of operation:** The applicant has indicated that the daycare facility intends to be open from 7:00 a.m. to 6:00 p.m. Monday through Friday serving 12 to 16 children aged six (6) months to three (3) years year long. Lunch and two (2) snacks would be provided daily. It would have two (2) employees each shift but such shift and staff count would vary depending on enrollment.
- f) **Duration:** An indefinite duration is requested.
- g) **Tree Preservation and Replacement:** The applicant indicates that no trees are proposed to be impacted with this proposal and any future exterior work would be done so to avoid tree impact.
- h) **Required yards and open space:** The applicant is not proposing any new construction except for the semi-circular drive along Hosea S. Williams Drive; however Staff notes that the front yard (along Anniston Avenue), half-depth front yard (along Hosea S. Williams Drive) and south side yard appear currently non-conforming. The rear yard and open space appear to meet the zoning requirements.

CONCLUSIONS:

- a) **Ingress and egress and proposed structure or uses thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Ingress and egress for child pick-up and drop-off is provided on-site via a semi-circular drive along Hosea S. Williams Drive. This appears to allow for safe and convenient children drop off. Also an adjacent off-site driveway which the applicant claims is under the same ownership is shown for Staff parking. If this were to be approved an easement should be provided to guarantee future ingress and egress for their Staff.
- b) **Off-street parking and loading:** The proposed on-site parking and loading appears to be reasonable for the proposal having at least two (2) staff at all times and 12 to 16 children during operation. As stated earlier, Staff feels safe and convenient children drop off or pick-up is provided with the semi-circular drive along Hosea S. Williams Drive. Also, the three (3) spaces shown on-site is reasonable for Staff and other long term parking.
- c) **Refuse and service areas:** Refuse and service areas proposed for the daycare appear reasonable.

- d) **Buffering and screening:** Visual buffering and screening as proposed appears to be sufficient although if this were to be approved min. 6' opaque vegetative screening should be provided to adjoining and nearby residential properties to both the south and west.
- e) **Hours and manner of operation:** The hours and manner of operation appear reasonable.
- f) **Duration:** Staff believes that a five (5) year duration is reasonable.
- g) **Compatibility with policies related to tree preservation:** No trees are proposed to be impacted.
- h) **Required yards and open space:** A number of existing yard non-conformities appear; however in that they would remain with no further encroachment this has no bearing on the reasonability of this proposal.
- i) **Other considerations:** Staff notes that the applicant provided an updated plan on August 4, 2014 which utilizes an existing curbcut along Hosea S. Williams Drive as part of a one-way semi-circular drive with connecting walkway. As such, Staff feels that safe and convenient children pick-up and drop-off is now provided on-site which does not negatively affect adjoining properties or the adjacent right-of-way. Therefore, based on the applicant addressing the concerns previously raised, Staff is of the opinion that this application is suitable for its intended use.

STAFF RECOMMENDATION: APPROVAL upon the following conditions:

1. Site plan similar to the plan marked received by the Office of Planning on August 4, 2014.
2. The child care facility shall be restricted to no more than 16 children at any time.
3. The Special Use Permit shall be valid for a duration of three (5) years from the date of approval by the City Council.
4. The Special Use Permit shall be valid only as long as Yusuf Muwwakkl is the operator.
5. A six foot (6') high opaque vegetative screening shall be provided near the property line to the south and west as shown in the site plan.

cc: James Shelby, Commissioner, DPCD